

Michael Devin Floyd  
2323 Broadway  
Oakland, CA 94612  
E-mail: [Mdf3039@gmail.com](mailto:Mdf3039@gmail.com)  
Telephone: (713) 562-7229

Michael Devin Floyd, IN PRO PER

Ronald Q. Tran (294873)  
Liam N. Gaarder-Feingold (345747)  
JACKSON LEWIS P.C.  
50 California Street, 9th Floor  
San Francisco, California 94111-4615  
Telephone: (415) 394-9400  
Facsimile: (415) 394-9401  
E-mail: [Ronald.Tran@jacksonlewis.com](mailto:Ronald.Tran@jacksonlewis.com)  
[Liam.gaarderfeingold@jacksonlewis.com](mailto:Liam.gaarderfeingold@jacksonlewis.com)

Attorneys for Defendant  
SABER FITNESS HEGENBERGER, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

Michael Devin Floyd

Plaintiff(s),

v.

Saber Fitness Hegenberger, LLC  
27 Northwestern Drive Suite 2  
Salem, NH 03079

Defendant(s).

Case No. 3:24-cv-01278-TSH

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER TO PROCEED  
AS A BENCH TRIAL**

Removal Filed: 03/01/2025  
Trial Date: 1/12/2026

1 Defendant SABER FITNESS HEGENBERGER, LLC (“Defendant”) and Plaintiff  
2 MICHAEL D. FLOYD (“Plaintiff”) (collectively, the “Parties”) hereby stipulate as follows:

3 WHEREAS, on November 12, 2025, the Court ordered the Parties to meet and confer and,  
4 if amenable to waiving a jury trial, file a stipulation consenting to a nonjury trial [ECF. No. 163];

5 WHEREAS, the Parties met and conferred and determined to waive the jury trial and  
6 proceed as a nonjury trial;

7 THEREFORE, the Parties stipulate and jointly request to proceed as a nonjury trial.  
8

9 Dated: November 20, 2025

JACKSON LEWIS P.C.

10  
11 By: /s/Ronald Q. Tran  
12 Ronald Q. Tran  
13 Attorneys for Defendant  
14 SABER FITNESS HEGENBERGER, LLC

15 Dated: November 20, 2025

16 By: /s/ Michael Devin Floyd  
17 Michael Devin Floyd  
18 Plaintiff, IN PRO PER

19 **DECLARATION**

20 Pursuant to Local Rule 5-1(i)(3), I attest that Plaintiff Michael Devin Floyd has concurred  
21 in the filing of this document, the concurrence of which shall serve in lieu of Plaintiff’s signature  
22 on the document.

23 Dated: November 20, 2025

JACKSON LEWIS P.C.

24  
25 By: /s/ Ronald Q. Tran  
26 Ronald Q. Tran  
27 Liam Feingold Gaarder  
28 Attorneys for Defendant  
SABER FITNESS HEGENBERGER, LLC

~~PROPOSED~~ ORDER

Based on the foregoing, and good cause appearing, the Court approves of the Parties' stipulation and hereby orders that this matter will proceed as a non-jury trial.

Dated: November 20, 2025

By: 

HON. THOMAS S. HIXSON  
United States Magistrate Judge